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Date of Deposit April 6, 2004

Case No. 4921/100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Barnard Stewart Silver

Serial No.: 09/618,813

Examiner: Leslie A. Wong

Filed: July 18, 2000

Group Art Unit: 1761

For: Sweetening Compositions
and Foodstuffs Comprised
Thereof

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated October 7, 2003 of the Examiner finally rejecting Claims 1-29.

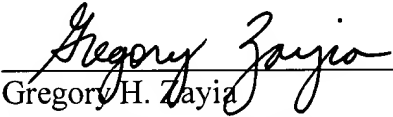
The item(s) checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection is filed herewith for 3 month(s).
2. ☐ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☒ Fee \$165.00 Small Entity
- ☒ Enclosed
- ☐ Not required (Fee paid in prior appeal)

- ☐ Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: April 6, 2004


Gregory H. Zayia
Registration No. 48,059
Agent for Applicant

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